

## COUNTY OF LOS ANGELES

MARVIN J. SOUTHARD, D.S.W.  
Director

ROBIN KAY, Ph.D.  
Chief Deputy Director

RODERICK SHANER, M.D.  
Medical Director



## BOARD OF SUPERVISORS

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## DEPARTMENT OF MENTAL HEALTH

<http://dmh.lacounty.gov>

550 SOUTH VERMONT AVENUE, LOS ANGELES, CALIFORNIA 90020

Reply To: (213) 738-4601  
Fax: (213) 386-1297

December 15, 2009

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

**APPROVAL OF APPROPRIATION ADJUSTMENT AND AUTHORIZATION TO  
FILL POSITIONS IN THE PUBLIC GUARDIAN FOR FISCAL YEAR 2009-10  
(ALL SUPERVISORIAL DISTRICTS)  
(4 VOTES)**

### **SUBJECT**

Request approval of an appropriation adjustment to increase salary and employee benefits, and associated services and supplies, to fund eight full-time equivalent positions in the Lanterman-Petris-Short Division of the Public Guardian.

### **IT IS RECOMMENDED THAT YOUR BOARD:**

1. Approve an appropriation adjustment (Attachment A) in the amount of \$378,000 to increase appropriation and revenue to fund eight full-time equivalent (FTE) positions in the Public Guardian.
2. Authorize the Department of Mental Health (DMH) to fill eight FTE positions in the Lanterman-Petris-Short (LPS) Division of the Public Guardian (PG) in excess of what is provided in Department of Mental Health's (DMH) staffing ordinance, pursuant to Section 6.20.020 of the County Code, and subject to allocation by the Chief Executive Office (CEO).

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of these actions is to increase the number of budgeted positions in the LPS Division of the PG to assist in reducing the size of the caseloads carried by Deputy Public Conservators/Administrators in the LPS Division.

The recommended actions will allow DMH to utilize federal revenue generated from the provision of qualifying Targeted Case Management (TCM) services to increase staffing for the LPS Division. Since Fiscal Year (FY) 2006-07, the amount of TCM revenue has been steadily increasing as a result of procedural changes implemented in the PG to ensure that TCM activities are documented and claimed. As a result, TCM revenue has increased from \$1.1 million in FY 2005-06 to an estimated \$2.0 million in FY 2008-09.

Despite the increasing revenue, DMH did not budget and utilize the funding due to a pending rule from the Centers for Medicare and Medicaid Services (CMS), which would have eliminated the ability of the PG to claim TCM. On June 29, 2009, CMS rescinded the provisions of the interim final rule, and DMH expects to be able to retain this funding stream. Therefore, DMH is now recommending that your Board approve the attached appropriation adjustment and associated staffing to allow DMH to hire and fill eight FTE positions to begin addressing the caseload and staffing issues. This will allow a reduction in the average caseload for deputies in the LPS Division by approximately 15 cases per deputy, resulting in an average caseload of 60 to 70 cases per position. The positions being requested are listed in Attachment B.

### **Implementation of Strategic Plan Goals**

The recommended actions are consistent with County Strategic Plan Goal 4, Health and Mental Health.

### **FISCAL IMPACT/FINANCING**

There is no impact on net County cost.

The appropriation adjustment will increase the Salaries and Employee Benefits by \$331,000 and Services and Supplies by \$47,000, which is fully offset by federal funds for TCM in the amount of \$378,000.

**FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The PG consists of two divisions that provide services mandated by State law when persons are no longer able to handle their own affairs and thus are placed in conservatorship by the Court. The Probate Division handles cases assigned to the PG under the provisions of the Probate Code. The LPS Division handles cases assigned to the PG under the provisions of the LPS Act, Section 5000, et. seq. of the Welfare and Institutions Code.

Currently, staffing within the LPS Division is insufficient to adequately handle the existing caseload and Deputy Public Conservators/Administrators within the LPS Division are carrying 75 to 85 cases each, compared to 40 to 50 cases for deputies working in the Probate Division. Further, insufficient support staff for the LPS Division, which includes clerical and accounting staff that are responsible for mandatory court accountings, results in a backlog of court-ordered documentation.

In FYs 2005-06 and 2006-07, your Board approved additional funding to address staffing issues within the Probate Division of the PG in response to a Board-ordered review of the Probate operations done by blueCONSULTING. The amount of net County cost approved by your Board to support the operations within the Probate Division continues in the amount of approximately \$3.3 million annually. This additional funding allowed caseloads for Deputy Public Conservators/Administrators in the Probate Division to be lowered to 40 to 50 cases per deputy.

While the blueCONSULTING report did not specifically review the LPS Division, the report noted that the existing caseloads within the LPS Division also were too high. However, no County general funds were or have been allocated to the LPS Division. The LPS Division is primarily funded from Vehicle License Fees and Sales Tax Realignment, two sources that have declined despite increasing demands on those resources. In addition, revenues generated by the LPS Division are used to fund staff and offset other costs associated with the LPS Division. However, staffing levels in the LPS Division continued to lag behind the Probate Division.

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

This action will have no impact on any other services. The additional costs are fully funded by revenue generated by the PG based on services that it renders.

The Honorable Board of Supervisors

12/15/2009

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mg Southard". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

MARVIN J. SOUTHARD, D.S.W.

Director

MJS:RK:kw

Enclosures

c: Chief Executive Officer  
Acting County Counsel  
Executive Officer, Board of Supervisors  
Chairperson, Mental Health Commission

PINK (1)

BA FORM 09/09

BOARD OF  
SUPERVISORS  
OFFICIAL COPY

COUNTY OF LOS ANGELES

## REQUEST FOR APPROPRIATION ADJUSTMENT

DEPARTMENT OF MENTAL HEALTH

DEPT'S.  
NO. 435

October 13, 2009

## AUDITOR-CONTROLLER:

THE FOLLOWING APPROPRIATION ADJUSTMENT IS DEEMED NECESSARY BY THIS DEPARTMENT. PLEASE CONFIRM THE ACCOUNTING ENTRIES AND AVAILABLE BALANCES AND FORWARD TO THE CHIEF EXECUTIVE OFFICER FOR HIS RECOMMENDATION OR ACTION.

## ADJUSTMENT REQUESTED AND REASONS THEREFOR

FY 2009-10

4 - VOTES

SOURCES

Department of Mental Health  
A01-MH-90-9368-20500  
TCM- Federal Other - \$378,000  
Increase Funding

USES

Department of Mental Health  
A01-MH-1000-20500  
Salaries & Employee Benefits - \$331,000  
Increase Appropriation

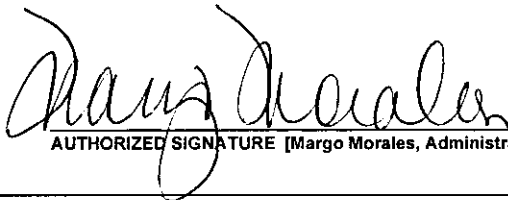
Departmental of Mental Health  
A01-MH-2000-20500  
Services & Supplies - \$47,000  
Increase Appropriation

SOURCES TOTAL: \$ 378,000

USES TOTAL: \$ 378,000

JUSTIFICATION

This adjustment is requested to increase appropriation for Salaries & Employee Benefits and Services & Supplies to fund 8 full-time positions in the Lanterman-Petris-Short (LPS) Division of the Public Guardian. This appropriation is fully funded by the increased of Federal Target Case Management Revenue.



AUTHORIZED SIGNATURE [Margo Morales, Administrative Deputy]

BOARD OF SUPERVISOR'S APPROVAL (AS REQUESTED/REVISED)

REFERRED TO THE CHIEF  
EXECUTIVE OFFICER FOR ---☐ ACTION☒ RECOMMENDATION

AUDITOR-CONTROLLER

BY Karen ShikumaB.A. NO. 037Oct 14 20 09☒ APPROVED AS REQUESTED☐ APPROVED AS REVISED

CHIEF EXECUTIVE OFFICER

BY [Signature]October 30, 20 09

SEND 6 COPIES TO THE AUDITOR-CONTROLLER

**ATTACHMENT B**

Proposed Staffing for Public Guardian LPS Division  
October 13, 2009

| <u>Position</u>                            | <u>FTE's</u> | <u>Comments</u>   |
|--|--------------|---|
| Accountant II                              | 1.0          | To increase staff to do court accountings and reduce backlog of LPS court accountings   |
| Clinic Driver                              | 2.0          | To provide budgeted positions for two clinic drivers who transport clients to and from appointments and court hearings. Will free up existing budgeted positions for a Conservator/Administrator Assistant and a Deputy Public Conservator/Administrator II |
| Deputy Public Conservator/Administrator II | 4.0          | To provide additional deputy positions to reduce caseloads  |
| Staff Assistant I                          | 1.0          | To provide supervision to the clerical staff, who currently is supervised by a Supervising Deputy Public Conservator/Administrator so that Supervising position can be used to supervise new unit created by the addition of the deputies.                  |
| Total Positions                            | 8.0          |   |